

Application No. 10/718,393
Amendment Dated: January 26, 2007
Reply to Office Action of: November 30, 2006

REMARKS/ARGUMENTS

In the Final Action dated November 30, 2006, claims 1-7, 14-20 and 22 are allowed.

Claims 21 and 23 are rejected as being anticipated by Bublewitz et al., US Patent 6,352,177 ("Bublewitz").

Bublewitz was not previously cited against the claims and Applicant respectfully submits that the Examiner has either failed to appreciate the recitation of claim 21 or has not fully considered the teachings of Bublewitz. Applicant respectfully traverses the Examiner's rejection that Bublewitz anticipates claims 21 and 23. Furthermore, those claims would not be obvious in view of Bublewitz.

Claim 21 recites as follows (emphasis added):

A device for mixing and dispensing multi-component compositions-comprising:

 a cartridge with at least two cylindrical chambers arranged in parallel, each having a plunger and an outlet opening;
 a transverse wall disposed between said outlet openings;
 a movable cap having an outlet tube, said cap being movable between a closed position to an open position; and
 a mixing helix disposed within said outlet tube,
 wherein **said mixing helix is fastened to said transverse wall.**

As recited in the claimed device, the mixing element is fastened to said transverse wall. Consequently the mixing helix and transverse wall are one piece of a unit. By contrast in the device of Bublewitz, wherein the Examiner refers to the transverse wall of Figure 7, if the mixing unit 132 is connected with the device containing the supply container, the mixing helix abuts the transverse

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wall 60. However, if the mixing unit 132 is removed, the mixing helix is removed. The mix unit 132 is described as only a disposable article at Bublewitz, col. 6, lines 32-37. In other words, there is no teaching of a fastening connection between the mixing helix and the transverse wall. Any analogous Bublewitz mixing element is merely temporarily retained against any analogous transverse wall. Consequently, Applicant respectfully submits that claim 21 is patentably distinguishable over the Bublewitz reference.

Claim 23 which depends on claim 21 is likewise patentable over the Bublewitz reference.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 21 and 23. The remaining claims have already been deemed allowable. Accordingly, Applicant requests that the Examiner issue a Notice of Allowance in due course.

Respectfully Submitted,

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